

Town of Eden  
71 Old Schoolhouse Rd  
Eden Mills, VT 05653

May 11, 2021 Selectboard Meeting

The Eden Selectboard met at the Town Office on May 11, 2021. Present: Ricky Morin, Clayton Whittemore, Virginia Parker (by phone), Candy Vear, Freeda Powers. Also present: James Barlow (Town Attorney), VT State Police officer Clay Knight, Lieutenant Bob Lucas and Sargent Michael Anderson, residents Phil & Pat Tallman, Carol Tucker, Robin Leone, Tony Rodriguez, Smoky Langlois, Ryan Spear, Jared Lilley, Joseph Lilley, Craig Rounds (LERA Manager). Joining by phone: Kristina Brown (resident), Katie Belval (resident), Dan Lathrop (resident).

1. Ricky opened the meeting at 6:00pm.

Virginia joined by phone at the start of the meeting and made a request to host the meeting via Zoom. The remainder of the Board was not in favor of that platform and the Town's Zoom account was not set up to accommodate this request at the time. Town Attorney, James Barlow, present for the conversation, indicated that the Selectboard was currently fulfilling the Open Meeting Law obligation by providing electronic access via the telephone and was not mandated to allow for additional electronic platforms. At this time, due to a miscommunication, the call was disconnected.

2. Additions and Deletions to the Agenda:

Under #6: Dog at large on North Rd. & Dog at large on Paronto Rd.

Under #12: Response from Eden Auditors

Under #12: ESC response re: Town Meeting Day

Under #13: ACT 250 Application

3. Citizens Input: In order to accommodate those present and in order to follow the current COVID-19 health guidance, this portion of the meeting was held outdoors. Several Eden residents attended the meeting to voice their concerns for public and personal safety in relation to ongoing disputes with a neighbor on Camp Road. VT State Police were present to hear the concerns and acknowledged familiarity with the ongoing disputes. Residents said they have been personally threatened and intimidated and asked that something be done to address the matter before somebody gets hurt. VSP explained that the complaints and behavior cited thus far have not met the level of any chargeable offense. At this time, they indicated they see the issue as a mutual conflict. They assured those present that they will investigate clear, citable offenses and encouraged documentation of perceived criminal behavior. If threats are being left by telephone message, a case can be built for Disorderly Conduct via Electronic Means, if documented and reported.

Ricky stated that the highway departments' concern remains the unhindered and safe allowed use of the town road right of way and the safety of public officials. The VSP and Town Attorney recommend a structured mediation to facilitate constructive dialogue. This approach will help deescalate rising tempers and fears, open communication and clear the air on lingering or simmering points of contention. An effort will be made to coordinate such a meeting.

4. Sign orders: Five (5) orders were reviewed and signed.

5. Minutes: The Board reviewed the minutes of 4/27 and 5/5. Clayton made a motion to approve the minutes of 4/27/21 and 5/5/21 as written. Ricky seconded the motion. The Board voted 2-0.

6. Dog at Large Complaints: The Board received and reviewed three submitted written complaints about dogs at large in the Town. Two of the complaints were against the same dog, the third was against a separate dog. The Board requested Freeda to draft letters notifying the dog owners of their obligations pursuant to the Eden Dog Ordinance with a reminder to have all dogs registered with the Town Office.

Katie Belval joined by phone to substantiate her written complaint of a dog at large in her neighborhood. She recognizes that the Town currently has a vacancy in the position of Animal Control Officer, and offered to step into that position. The Board encouraged her to stop by the office tomorrow morning to pick up a copy of the Eden Dog Ordinance, Animal Control Officer job description and an application for employment. Katie agreed to do so.

7. Beach Update:

a.) Managers contract for 2021: Craig Rounds was present for this discussion. The Board reviewed the revised 2021 contract for the LERA Manager and Assistant Manager. Ricky made a motion to approve and sign the 2021 LERA Managers Contract. Clayton seconded the motion. The Board voted 2-0. The contract was signed by the Board and by Mr. Rounds; Mr. Whitney, Manager's Assistant, can sign the contract at the Town Office tomorrow.

b.) Water System Update: John Campagna, of Plumbing Solutions, has completed the seasonal start-up procedures of the LERA water system. We should receive the first drinking water test results by the end of this week.

c.) Finalize Opening Plans: The Board discussed details around LERA Public Use Area and Beach opening, scheduled for Memorial Day. It was agreed that the playground equipment will be fenced off to minimize COVID-19 touch surface spread until the state of emergency and associated guidelines are lifted for the State of Vermont.

8. Road Commissioner's Report:

a.) The Board reviewed an AOT project input request regarding a proposed culvert replacement on Rte. 100 by the intersection of White Road. In short, the Town response clearly states that a full road closure at this location is unfeasible and inadvisable. The Board will remain informed as the State continues the planning process for this future project. The Board authorized Freeda to submit the Towns' input to the AOT.

b.) Resolution to remove spring road posting: Road/weather conditions have improved, allowing for the road posting to be removed. Ricky made the motion to sign the Resolution to Remove Temporary Closure. Approved and signed.

c.) The Board reviewed an Access Permit request for property located on Tree Farm Rd. There were no objections to the application as presented. Clayton made a motion to approve the Access Permit request according to the profile. The Board voted 2-0.

d.) The Board reviewed an application for a Sap Line over Town Hwy request also on Tree Farm Rd. Ricky noted that in fact, the applicant appears to be proposing to bury the existing overhead lines beneath the roadway; this requires a different application form. Freeda will contact the applicant and have them fill out the correct form, for excavation. The correct application will be reviewed at the 5/25/21 meeting.

e.) Weight Permits: Ricky made the motion to approve to town specifications excess weight permits for Blue Collar Septic Services, LLC and United Natural Foods, Inc. The Board voted 2-0.

f.) Other activity of Hwy Dept.: Ricky said the remaining funds in the highway budget will allow us to begin the work of grinding and repaving the 450' on Knowles Flat Road starting by the bridge to the White Road intersection. He offered to get a scope of work together and provide three bids for the Board to review. Clayton did not have any objection to this. The Board will review the bids once available. Ricky said we are still waiting for the sweeper motor to come back from repairs. They have been sandblasting and painting the plows for next year. One part-time employee has been secured for the highway department; this is a previous employee, so no new paperwork will be needed.

#### 9. Grants:

a.) FEMA Update: The Board reviewed an RFP for Blakeville Road, bridge #13. Another RFP in the same format will also go out for bridge #17 on Paronto Road. Both of these projects are related to the 2019 storm event and FEMA disaster funding. Clayton made a motion to approve the RFP for Blakeville Road bridge #13 and Paronto Road bridge #17. Ricky seconded the motion. The Board voted 2-0. The Board authorized Freeda to send the RFP out to four engineering consultants. Bids will be due to the Town of Eden by 5/24/21; selection will take place on 5/25/21 and work should commence early June. Per advice from Rob Moore at LCPC, we have allowed a construction deadline of October 17, 2022.

b.) Grant In-Aid: We have received permission to begin work on South Pond Road under grant funding from Grant-In-Aid; this work will contribute to our MRPG required action plan as it aims to mitigate storm water runoff by implementing best management practices on hydrologically connected road segments. This work will be completed by the Eden Highway Department.

c.) American Rescue Plan Funds Update: The VT League of Cities & Towns (VLCT) is offering a training May 18<sup>th</sup> for municipal officers to learn how the State will distribute Coronavirus Local Fiscal Recovery Funds to Vermont municipalities. State and regional

officials, experts from the National League of Cities, and VLCT staff will preview the steps required to receive the funds, how the funds can be used, and what resources are available to help your municipality spend and report on the funding. Freeda has already registered to participate. She will share her notes and report back to the Board on 5/25.

10. Clarify Current Personnel Policy: The Board received and read a copy of the current Personnel Policy. No changes were made at this time. The Board agreed that no further policy changes should be made until after Town Meeting, June 15<sup>th</sup>.

11. Ratify Additions and Deletions of 4/27: None.

12. Other Business:

a.) Consider Village Center Designation: Freeda provided the Board with a document outlining the program benefits of having a Designated Village Center. If the Board is interested in considering this for Eden, Freeda has been offered assistance from the Lamoille County Planning Commission (LCPC) to go through the process. Some benefits include tax credits and grant opportunities.

b.) Response from Eden Auditors: The Eden Auditors have given a response to the request from NHP/Eden Fire Department to audit their books. The Auditors have declined the work at this time. Freeda will convey their response to the Fire Department.

c.) Town Meeting Day: The Town has received notification from the Eden Central School that the gymnasium will not be available for use on Town Meeting Day, June 15<sup>th</sup>. This means the Board will look into hosting the meeting outside at the Eden Central School grounds, under tent cover. Logistics regarding audio, restrooms, parking were discussed. We will ask Marvin Whitcomb to assist with the audio system. Freeda will confirm with the school if the restrooms will be accessible, and to see if we can use tables and chairs from the school for the day. The meeting itself can be held directly in front of the school, allowing us to block off part of the parking lot to allow use of the sidewalk. Freeda will look into tent rentals to accommodate between 100-150 people.

13. FYI: The Board received notice of an ACT 250 land use permit for property located on Nancy Lane. This permit authorizes a lot line adjustment between lots.

14. Adjourn: Clayton made a motion to adjourn. The meeting adjourned at 8:43pm.

Minutes Approved as ammended on 5/25/2021 by: Ricky Morin, Clayton Whittemore.

Freeda Powers, Town Administrative Assistant